

HARNES, DICKEY & PIERCE, P.L.C.

Attorneys and Counselors
5445 Corporate Drive, Suite 400
Troy, Michigan 48098-2683
Phone: 248-641-1600
Fax: 248-641-0270

Ann Arbor, MI • Washington, D.C.

RECEIVED
CENTRAL FAX CENTER

OCT 30 2003

~~OFFICIAL~~

DATE: October 30, 2003

NO. OF PAGES (INCLUDING THIS PAGE):

FOR: Examiner Arthur L. Corbin

COMPANY: U.S. Patent and Trademark Office

FAX NO.: 703-872-9310

PHONE:

ORIGINAL WILL FOLLOW BY:

- ☐ REGULAR MAIL
☐ OVERNIGHT MAIL
☐ COURIER
☒ WILL NOT FOLLOW

FROM: Monte L. Falcoff

Please let us know by phone or fax if you do not receive any of these pages.

COMMENTS:

Re: Serial No. 09/594,922 Title: Fish Based Food Product and Related Process
Filing Date: June 15, 2000 Inventors: Roussel et al.

Please enter the attached amendment.

If you have any questions, please do not hesitate to contact us.

*** NOTICE ***

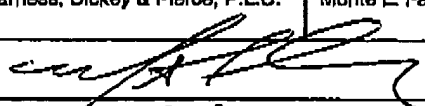
The information contained in this telefax transmission is intended only for the individual to whom or entity to which it is addressed. It may also contain privileged, confidential, attorney work product or trade secret information which is protected by law. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering the message to the addressee, the reader is hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the address above via the U.S. Postal Service. We will reimburse you for any reasonable expense (including postage) for the return of the original message.

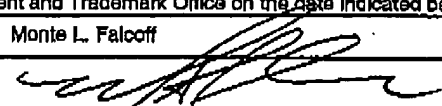
HDP/SB/21 based on PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☐

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/594,922
	Filing Date	June 15, 2000
	First Named Inventor	Laurence Roussell et al.
	Group Art Unit	1761
	Examiner Name	Arthur L. Corbin
Total Number of Pages in This Submission		Attorney Docket Number 4384-000009

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="text-align: center;">fax cover sheet</div>
Remarks <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed. </div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Monte L. Falcoff	Reg. No. 37,617
Signature			
Date	Oct. 30, 2003		

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.			
Typed or printed name	Monte L. Falcoff		
Signature		Date	Oct. 30, 2003

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number/

**FEE TRANSMITTAL
for FY 2004**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 1036**Complete if Known**

Application Number	08/594,822
Filing Date	June 15, 2000
First Named Inventor	Laurance Roussell et al.
Examiner Name	Arthur L. Corbin
Art. Unit	1761
Attorney Docket No.	4354-000009

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																																																	
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None				3. ADDITIONAL FEES																																																																																																																																																																																	
<input checked="" type="checkbox"/> Deposit Account:				<table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>1051</td> <td>130</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1052</td> <td>50</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1053</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1812</td> <td>2,620</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1805</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1251</td> <td>110</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1252</td> <td>420</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1253</td> <td>950</td> <td>Extension for reply within third month</td> <td>950</td> </tr> <tr> <td></td> <td></td> <td>1254</td> <td>1,480</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1255</td> <td>2,010</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1401</td> <td>330</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1402</td> <td>330</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1403</td> <td>290</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1452</td> <td>110</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1453</td> <td>1,330</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1501</td> <td>1,390</td> <td>Utility issue fee (or release)</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1502</td> <td>480</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1503</td> <td>640</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1480</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1807</td> <td>50</td> <td>Processing fee under 37 CFR 1.17 (q)</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1808</td> <td>180</td> <td>Submission of Information Disclosure Stmt.</td> <td></td> </tr> <tr> <td></td> <td></td> <td>8021</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1809</td> <td>770</td> <td>Filing a submission after final rejection (37 CFR § 1.128(a))</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1810</td> <td>770</td> <td>For each additional invention to be examined (37 CFR § 1.128(b))</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1801</td> <td>770</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td></td> <td></td> <td>1802</td> <td>800</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> </tbody> </table>				Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid			1051	130	Surcharge - late filing fee or oath				1052	50	Surcharge - late provisional filing fee or cover sheet				1053	130	Non-English specification				1812	2,620	For filing a request for reexamination				1804	920*	Requesting publication of SIR prior to Examiner action				1805	1,840*	Requesting publication of SIR after Examiner action				1251	110	Extension for reply within first month				1252	420	Extension for reply within second month				1253	950	Extension for reply within third month	950			1254	1,480	Extension for reply within fourth month				1255	2,010	Extension for reply within fifth month				1401	330	Notice of Appeal				1402	330	Filing a brief in support of an appeal				1403	290	Request for oral hearing				1451	1,510	Petition to institute a public use proceeding				1452	110	Petition to revive - unavoidable				1453	1,330	Petition to revive - unintentional				1501	1,390	Utility issue fee (or release)				1502	480	Design issue fee				1503	640	Plant issue fee				1480	130	Petitions to the Commissioner				1807	50	Processing fee under 37 CFR 1.17 (q)				1808	180	Submission of Information Disclosure Stmt.				8021	40	Recording each patent assignment per property (times number of properties)				1809	770	Filing a submission after final rejection (37 CFR § 1.128(a))				1810	770	For each additional invention to be examined (37 CFR § 1.128(b))				1801	770	Request for Continued Examination (RCE)				1802	800	Request for expedited examination of a design application	
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																
		1051	130	Surcharge - late filing fee or oath																																																																																																																																																																																	
		1052	50	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																	
		1053	130	Non-English specification																																																																																																																																																																																	
		1812	2,620	For filing a request for reexamination																																																																																																																																																																																	
		1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																	
		1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																	
		1251	110	Extension for reply within first month																																																																																																																																																																																	
		1252	420	Extension for reply within second month																																																																																																																																																																																	
		1253	950	Extension for reply within third month	950																																																																																																																																																																																
		1254	1,480	Extension for reply within fourth month																																																																																																																																																																																	
		1255	2,010	Extension for reply within fifth month																																																																																																																																																																																	
		1401	330	Notice of Appeal																																																																																																																																																																																	
		1402	330	Filing a brief in support of an appeal																																																																																																																																																																																	
		1403	290	Request for oral hearing																																																																																																																																																																																	
		1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																	
		1452	110	Petition to revive - unavoidable																																																																																																																																																																																	
		1453	1,330	Petition to revive - unintentional																																																																																																																																																																																	
		1501	1,390	Utility issue fee (or release)																																																																																																																																																																																	
		1502	480	Design issue fee																																																																																																																																																																																	
		1503	640	Plant issue fee																																																																																																																																																																																	
		1480	130	Petitions to the Commissioner																																																																																																																																																																																	
		1807	50	Processing fee under 37 CFR 1.17 (q)																																																																																																																																																																																	
		1808	180	Submission of Information Disclosure Stmt.																																																																																																																																																																																	
		8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																	
		1809	770	Filing a submission after final rejection (37 CFR § 1.128(a))																																																																																																																																																																																	
		1810	770	For each additional invention to be examined (37 CFR § 1.128(b))																																																																																																																																																																																	
		1801	770	Request for Continued Examination (RCE)																																																																																																																																																																																	
		1802	800	Request for expedited examination of a design application																																																																																																																																																																																	
Deposit Account Number: 08-0750 Deposit Account Name: Harness, Dickey & Pierce, P.L.C.																																																																																																																																																																																					
1. BASIC FILING FEE <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1001</td> <td>2001</td> <td>770</td> <td>385</td> <td>Utility filing fee</td> <td></td> </tr> <tr> <td>1002</td> <td>2002</td> <td>340</td> <td>170</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>1003</td> <td>2003</td> <td>530</td> <td>265</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>1004</td> <td>2004</td> <td>770</td> <td>385</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>1005</td> <td>2005</td> <td>160</td> <td>80</td> <td>Provisional filing fee</td> <td></td> </tr> </tbody> </table>				Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid	1001	2001	770	385	Utility filing fee		1002	2002	340	170	Design filing fee		1003	2003	530	265	Plant filing fee		1004	2004	770	385	Reissue filing fee		1005	2005	160	80	Provisional filing fee																																																																																																																																															
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																
1001	2001	770	385	Utility filing fee																																																																																																																																																																																	
1002	2002	340	170	Design filing fee																																																																																																																																																																																	
1003	2003	530	265	Plant filing fee																																																																																																																																																																																	
1004	2004	770	385	Reissue filing fee																																																																																																																																																																																	
1005	2005	160	80	Provisional filing fee																																																																																																																																																																																	
2. EXTRA CLAIM FEES <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1202</td> <td>2202</td> <td>18</td> <td>9</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td>1201</td> <td>2201</td> <td>88</td> <td>43</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td>1203</td> <td>2203</td> <td>290</td> <td>145</td> <td>Multiple dependent claim, if not paid</td> <td></td> </tr> <tr> <td>1204</td> <td>2204</td> <td>88</td> <td>43</td> <td>** Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td>1205</td> <td>2205</td> <td>18</td> <td>9</td> <td>** Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> </tbody> </table>				Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid	1202	2202	18	9	Claims in excess of 20		1201	2201	88	43	Independent claims in excess of 3		1203	2203	290	145	Multiple dependent claim, if not paid		1204	2204	88	43	** Reissue independent claims over original patent		1205	2205	18	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																															
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																
1202	2202	18	9	Claims in excess of 20																																																																																																																																																																																	
1201	2201	88	43	Independent claims in excess of 3																																																																																																																																																																																	
1203	2203	290	145	Multiple dependent claim, if not paid																																																																																																																																																																																	
1204	2204	88	43	** Reissue independent claims over original patent																																																																																																																																																																																	
1205	2205	18	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																																	
3. SUBTOTAL (1) (\$) 0																																																																																																																																																																																					
4. SUBTOTAL (2) (\$) 88																																																																																																																																																																																					
5. SUBTOTAL (3) (\$) 950																																																																																																																																																																																					

*or number previously paid, if greater; For Reissues, see above

SUBMITTED BY			Complete (if applicable)		
Name (Print/Type)	Monte L. Falcoff	Registration No. Attorney/Agent	37,817	Telephone	248-641-1600
Signature			Date	Oct 30, 2003	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-203B.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/594,922
Filing Date: June 15, 2000
Applicant: Laurence Roussell et al.
Group Art Unit: 1761
Examiner: Arthur L. Corbin
Title: FISH BASED FOOD PRODUCT AND RELATED
PROCESS
Attorney Docket: 4384-000009

**RECEIVED
CENTRAL FAX CENTER**

OCT 30 2003

OFFICIAL

Commissioner of Patents and Trademarks
Washington, D.C. 20231

AMENDMENT

Sir:

In response to the Office Action mailed April 30, 2003, please amend the application as follows and consider the remarks set forth below.

Applicants hereby petition under the provisions of 37 C.F.R. § 1.136(a) for a three month extension of time in which to respond to the outstanding Office Action and includes a fee as set forth in 37 C.F.R. § 1.17(a) with this response for such extension of time.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 13 of this paper.